

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
GAINESVILLE DIVISION

IN RE:) BANKRUPTCY CASE
)
WILLIAM DONALD THOMPSON,) NO.: 19-21727-JRS
)
Debtor.) CHAPTER 13
)
)
)

OBJECTION TO CONFIRMATION

COMES NOW Aurora Financial Group, Inc. c/o Freedom Mortgage Corporation (hereinafter known as "Creditor"), a secured creditor holding a Security Deed against the real property commonly known as 7140 Balmoral Ct, Cumming, Georgia 30041 (the "Property"), and for the reasons stated below, objects to confirmation of Debtor's Chapter 13 plan (Doc. No. 14) (the "Plan").

1.

Debtor's Plan understates the prepetition arrearage amount owed to Creditor as \$20,000.00. The prepetition arrearage amount owed to Creditor is approximately \$32,762.72.

2.

Debtor's Plan proposes to pay only \$100.00 until December, 2020 when the payment is proposed to increase to \$350.00. This is an unacceptable timeframe. Creditor request larger payments to begin at the confirmation of this Plan.

3.

This Chapter 13 Plan was filed on August 29, 2019. Debtor filed a prior case, 19-20850 on May 2, 2019 which was dismissed on June 10, 2019 for Debtor's Failure to File Information.

4.

Creditor reserves the right to raise the failure of Debtor to have made post-petition mortgage payments if at the time of the confirmation hearing that appears to be the case.

WHEREFORE, Creditor prays that the Court will:

1. deny confirmation,
2. award reasonable attorney's fees, and
3. grant such other and further relief as is just and equitable.

/s/Ciro A Mestres

Ciro A Mestres
Georgia BAR NO. 840253
Attorney for Creditor
McCalla Raymer Leibert Pierce, LLC
1544 Old Alabama Road
Roswell, GA 30076
678-281-6516
678-281-6516

In Re: William Donald Thompson Bankruptcy Case No.: 19-21727-JRS
Chapter: 13
Judge James R. Saccia

CERTIFICATE OF SERVICE

I, Ciro A Mestres, of MCCALLA RAYMER PIERCE, LLC, 1544 Old Alabama Road, Roswell, Georgia 30076-2102, certify:

That I am, and at all times hereinafter mentioned, was more than 18 years of age;

That on the date below, I served a copy of the within OBJECTION TO CONFIRMATION filed in this bankruptcy matter on the following parties at the addresses shown, by regular United States Mail, with proper postage affixed, unless another manner of service is expressly indicated:

William Donald Thompson
7140 Balmoral Court
Cumming, GA 30041

Jonathan D. Clements
Kelley & Clements
P.O. Box 2758
Gainesville, GA 30503

(served via ECF Notification)

Nancy J. Whaley, Trustee
Nancy J. Whaley, Standing Ch. 13 Trustee
303 Peachtree Center Avenue
Suite 120, Suntrust Garden Plaza
Atlanta, GA 30303

(served via ECF Notification)

I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed on: 10/21/2019 By: /s/Ciro A Mestres
(date) Ciro A Mestres
Georgia BAR NO. 840253
Attorney for Creditor